UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT
WESTERN DIVISION

In Re:	:	Case No. 10-17737
	:	(Chapter 7)
JAMES MATTHEW SPARKS	:	
	:	Judge Hopkins
	:	
Debtor(s)	:	

TRUSTEE'S MOTION TO STRIKE DEBTOR'S RESPONSE TO MOTION TO VACATE ORDER APPROVING APPLICATION TO PROCEED IN FORMA PAUPERIS (DOC. 21)

Elliott Polaniecki, Trustee in the above case, respectfully moves the Court to strike the Debtor's Respose (sic) to Motion to Vacate Order Approving Application to Proceed in Forma Pauperis (Doc. 21).

The Response is out of time.

The Trustee's Motion to Vacate (Doc. 18) was filed and served on December 22, 2010, with a 21-day Notice attached thereto. The Response was filed on January 19, 2011, which is not only beyond the Notice period, but beyond the three to five day leeway allowed by this Court.

The Trustee would also point out that Debtor's counsel captioned the judge in this case as Judge Russ Kendig. Also, she failed to provide her address, phone, fax, and/or email with this pleading.

Respectfully submitted,

/s/ Elliott Polaniecki
Elliott Polaniecki, Trustee
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was sent by electronic or regular U.S. Mail to the following on January 20, 2011.

Diana Khuori

Office of the U.S. Trustee

James Matthew Sparks
4042 Lansdowne Avenue, Apt. 1
Cincinnati, OH 45236

/s/ Elliott Polaniecki
Elliott Polaniecki